

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

.....X

ULTRA RECORDS, LLC,

Plaintiff,

**CIVIL CASE DISCOVERY PLAN  
AND SCHEDULING ORDER**

- v -

ULTRA INTERNATIONAL MUSIC  
PUBLISHING, LLC,

Defendant.

1:22-cv-09667 (ER)

.....X

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed.)
2. This case is to be tried to a jury.
3. Joinder of additional parties must be accomplished by July 31, 2023.
4. Amended pleadings may be filed until July 31, 2023.
5. Interrogatories shall be served no later than July 19, 2023, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 shall apply to this case.
6. First request for production of documents, if any, shall be served no later than July 19, 2023.
7. Non-expert depositions shall be completed by March 25, 2024.
  - a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
  - b. Depositions shall proceed concurrently.
  - c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.

8. Any further interrogatories, including expert interrogatories, shall be served no later than January 22, 2024
9. Requests to Admit, if any, shall be served no later than February 22, 2024.
10. Expert reports for the party bearing the burden of proof on any issue shall be served no later than December 10, 2023.
11. Rebuttal expert reports shall be served no later than February 19, 2024.
12. Expert depositions shall be completed by March 25, 2024.
13. Additional provisions agreed upon by counsel are attached hereto and made a part hereof.
14. **ALL DISCOVERY SHALL BE COMPLETED BY MARCH 25, 2024.**
15. Any motions shall be filed in accordance with the Court's Individual Practices.
16. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
17. The Magistrate Judge assigned to this case is the Hon. Ona T. Wang.
18. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
19. The next case management conference is scheduled for\_\_\_\_\_, at\_\_\_\_\_. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated: New York, New York

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\_\_\_\_\_  
Edgardo Ramos, U.S. District Judge

**ADDITIONAL PROVISIONS AGREED TO BY COUNSEL**

**1. Initial Disclosures.**

The parties agree that initial disclosures under Federal Rule of Civil Procedure 26(a)(1) will not be exchanged in this proceeding.

**2. Electronic Discovery.**

The parties anticipate requesting and producing computer-based and other digital information. Such production will be made during the course of regular discovery. The parties have not identified any disputes with respect to electronic discovery, and agree to confer about the appropriate format in which to produce electronic information. The parties further agree that emails and attachments thereto will be produced together to the extent they are responsive and not privileged.

**3. Privilege Issues.**

The parties are not aware of any disputes concerning any privileges at this time. The parties will use their best efforts to serve initial privilege logs within twenty one (21) days after documents are produced.

**4. Changes to Limitations on Discovery.**

The parties do not seek any changes in the limitations on discovery imposed by the Federal Rules of Civil Procedure or the Local Civil Rules of this Court.

**5. Other Orders.**

The parties anticipate that they will agree on and submit to the Court a stipulated protective order under Fed. R. Civ. P. 26(c).